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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,728	01/09/2001	Stefaan Valere Albert Coussement	P4644	7778

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EXAMINER	
CHOUDHURY, AZIZUL Q	
ART UNIT	PAPER NUMBER
2145	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/757,728	COUSSEMENT, STEFAAN VALERE ALBERT	
	Examiner	Art Unit	
	AZIZUL CHOUDHURY	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/13/07*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8-31 and 33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6, 8-31 and 33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

This office action is in response to the correspondence received on November 13, 2007.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8-31 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamb et al (US Pat No: 6,747,970), hereafter referred to as Lamb.

1. With regards to claims 1 and 19, Lamb teaches a network including a communication center and a plurality of clients using communication devices, a system enabling agents of the communication center to best communicate with the clients and client devices, including configuring call-back options and preferences, the system comprising:
    - customer presence software executing at each client device for monitoring client and client device status (*Equivalent to user agent; see column 12, lines 25-27, Lamb*); and

- a communication-center presence software executing in the communication center for receiving information from the customer presence software (*Equivalent to telecommunications hosting server; see column 11, lines 15-36, Lamb*);
- characterized in that the customer presence software monitors real-time client and client device status at each client device including on-line/offline status of the client (see *column 14, lines 7-10, Lamb*) and client devices and the client's callback preferences including medium preferences and client device preferences (*see column 14, lines 25-37, Lamb*), communicates the status information to the communication center presence software, and the communication center presence software integrates the received status information and provides the integrated result to the agents of the communication center (*see column 14, lines 25-46, Lamb*)

2. With regards to claims 2 and 20, Lamb teaches the system, wherein the network is a data-packet-network (*see column 11, lines 55-59, Lamb*).

3. With regards to claims 3 and 21, Lamb teaches the system, wherein the data-packet-network is the Internet network (*see column 11, lines 55-59, Lamb*).

4. With regards to claims 4 and 22, Lamb teaches the system, wherein the communication center markets products and or service to the clients (*see column 44, lines 7-51, Lamb*).

5. With regards to claim 5, Lamb teaches the system, wherein the agents are human resources employed by the communication center (*see column 44, lines 61-65, Lamb*).

6. With regards to claim 6, Lamb teaches the system, wherein the agents are automated systems implemented in hardware and software at the communications center (*see column 44, lines 61-65, Lamb*).

7. With regards to claim 8, Lamb teaches the system, wherein an alert is propagated to clients (*see column 14, lines 36-37 and Figure 12, Lamb*).

8. With regards to claims 9, 29 and 30, Lamb teaches the system, wherein the alert indicates one or more of status of the communication center, including one or more of the number of calls in queue and the estimated waiting time, and a time for callback, enabling the client to plan or to initiate a call with high probability of success (*see Figure 12, Lamb*).

9. With regards to claim 10, Lamb teaches the system, wherein optional callback or alert mediums include cellular, IP, and wired communications mediums (*Equivalent to instant message; see Figure 12, Lamb*).

10. With regards to claims 11 and 31, Lamb teaches the system, wherein the optional callback or alert devices include cellular telephones, pagers, telephones, computer stations, handheld computers, and laptop computers (*see Figure 3, element 242, Lamb*).

11. With regard to claims 12 and 33, Lamb teaches the system, wherein the client-status information provided to an agent automatically updates periodically (*see column 16, lines 34-35, Lamb*).

12. With regards to claim 13, Lamb teaches the system, wherein the client-status information is continually streamed to the subscribing agent-user during a session with a client (*see column 16, lines 34-35, Lamb*).

13. With regards to claims 14, 26 and 27, Lamb teaches the system, wherein the transfer of client-status information is by instant messaging technology (*see Figure 12, Lamb*).

14. With regards to claim 15, Lamb teaches the system wherein the customer presence software executing at the client devices for monitoring client and device status is provided by a host of the communication center, and the communication-center presence software executing in the communication center communicates directly with the customer presence software executing at the client device (*Equivalent to web server being within telecommunications hosting server; see column 15, line 64—column 16, line 4, Lamb*).

15. With regards to claim 16, Lamb teaches the system wherein one or more instances of customer presence service software are provided by a third-party presence service provider, and further comprising a presence service server operating in the network and communicating with both the instances of the presence service software and the communication center presence software executing at the communication center (*Equivalent to web server being a separate web server; see column 15, line 64 - column 16, line 4, Lamb*).

16. With regards to claim 17, Lamb teaches the system wherein the network is one or a combination of the Internet network, a wireless cellular telephone network, or a public service telephone network; *see column 11, lines 55-62, Lamb*).

17. With regards to claim 18, Lamb teaches the system wherein one or more instances of the customer presence software are provided by the communication

center host, and one or more instances are provided by a third party presence service provider (*see column 11, lines 55-62, Lamb*), and wherein two or more client devices executing presence software are associated with a single client, the communication center presence software providing thereby regularly updated and integrated presence status over the multiple devices for the single client (*see column 12, lines 25-27, Lamb*).

18. With regards to claim 23, Lamb teaches the method wherein in step (a), the presence software executing at a client device is provided by a third-party service provider, and client status information is communicated through a third party server to the communication center presence software (*The information can be web based provided through a web server (third party); see column 15, line 64 – column 16, line 4, Lamb*).

19. With regards to claim 24, Lamb teaches the method wherein in step (a), the presence software executing at a client device is provided by the host of the communication center, and the communication center presence software communicates directly with the client presence software (*The information can be web based provided through a web server (wherein the web server is within the telecommunications hosting server); see column 15, line 64 – column 16, line 4, Lamb*).

20. With regards to claim 25, Lamb teaches the method wherein in step (b), the communication center presence software operates in a call-waiting queue of the communication center (*see column 44, lines 15-16, Lamb*).

21. With regards to claim 28, Lamb teaches the method wherein in step (b), on-line/off-line status information is communicated in the form of instant messages containing the information and callback preference information is communicated through an electronic information page (*see Figure 12, Lamb*).

Response to Remarks

Applicant's arguments with respect to claims 1-6, 8-31 and 33 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AZIZUL CHOUDHURY whose telephone number is (571)272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145